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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,842	07/16/2003	Tetsuya Hayashi	03417/LH	1804
1933 7590 03/21/2008 FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 Fifth Avenue 16TH Floor NEW YORK, NY 10001-7708				
EXAMINER YODER III, CHRIS S				
ART UNIT 2622		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/621,842

**Applicant(s)**

HAYASHI, TETSUYA

**Examiner**

CHRISS S. YODER III

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on June 6, 2003. It is noted, however, that applicant has not filed a certified copy of the 2003-161441 application as required by 35 U.S.C. 119(b).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-5, 7-9, 11-19, and 21-23 are rejected under 35 U.S.C. 102(3) as being anticipated by Gennetten et al. (US PGPub 2004/0201680).
2. In regard to **claim 1**, note Gennetten discloses the use of an image management system comprising a digital camera and an image recording apparatus (paragraph 0025), wherein the digital camera comprises an imaging unit which images an object to output first image data (paragraph 0007), a first storage which stores the first image data output from the imaging unit (paragraph 0025, the images stored in the camera can be transferred to the hosting device), a first processing unit which performs a predetermined process for at least one item of the first image data (paragraph 0025, the

camera performs predetermined tasks when it is connected to the hosting device), and a transmitter which transmits a request for the predetermined process to the image recording apparatus (paragraph 0025 the camera can transmit commands to control the hosting device), and wherein the image recording apparatus comprises a second storage which stores second image data including an item of data whose contents are identical to contents of an item of the first image data stored in the first storage (paragraph 0025, the image contents of the camera are transferred to the hosting device), and a second processing unit which performs the predetermined process for an item of the second image data which is stored in the second storage and whose contents are identical to the contents of the at least one item of the first image data stored in the first storage to which the predetermined process is performed based on the request transmitted from the transmitter (paragraph 0025, the hosting device can perform management tasks based on the commands received by the camera).

3. In regard to **claim 2**, note Gennetten discloses that the second processing unit comprises a retrieving unit which retrieves the item of the second image data which is stored in the second storage and whose contents are identical to the contents of the at least one item of the first image data stored in the first storage to which the predetermined process is performed and a processor which performs the predetermined process for the retrieved item of the second image data (paragraph 0025, the hosting device can perform management tasks based on the commands received by the camera).

4. In regard to **claim 3**, note Gennetten discloses that the image recording apparatus comprises a transmitter which transmits information indicating completion of the predetermined process to the digital camera, and wherein the digital camera comprises a receiver which receives the information indicating completion of the predetermined process (paragraph 0025, in order to record the status of any active tasks at the time of undocking, the camera receives information indicating completion of each task).

5. In regard to **claim 4**, note Gennetten discloses the use of a digital camera comprising an imaging unit which images an object to output first image data (paragraph 0007), a storage which stores the first image data output from the imaging unit (paragraph 0025, the images stored in the camera can be transferred to the hosting device), a processing unit which performs a predetermined process for at least one item of the first image data (paragraph 0025, the camera performs predetermined tasks when it is connected to the hosting device), and a transmitter which transmits a request for the predetermined process to an external device (paragraph 0025 the camera can transmit commands to control the hosting device) to cause the external device to perform the predetermined process for an item of second image data which is stored in the external device and whose contents are identical to contents of the at least one item of the first image data to which the predetermined process is performed by the processing unit (paragraph 0025, the image contents of the camera are transferred to the hosting device, and the hosting device can perform management tasks based on the commands received by the camera).

6. In regard to **claim 5**, note Gennetten discloses that the request comprises a command for specifying the predetermined process and an identification for specifying the at least one item of the first image data to which the predetermined process is performed by the processing unit (paragraph 0025, the hosting device can perform management tasks based on the commands received by the camera).
7. In regard to **claim 7**, note Gennetten discloses that the predetermined process comprises a deletion process (paragraph 0025).
8. In regard to **claim 8**, note Gennetten discloses the use of a selector which selects one item of the first image data stored in the storage, and wherein said processing unit performs the predetermined process for the selected one item of the first image data stored in the storage (paragraph 0025).
9. In regard to **claim 9**, note Gennetten discloses the use of a mode setter which sets a predetermined process mode, and wherein the transmitter transmits the request when the predetermined process mode is set and the processing unit performs the predetermined process (paragraphs 0025 and 0030).
10. In regard to **claim 11**, note Gennetten discloses the use of a determining unit which determines whether or not the digital camera is electrically connected to the external device, wherein the transmitter transmits the request to the external device when the determining unit determines that the digital camera is electrically connected to the external device (paragraphs 0025 and 0030, when the camera is connected to the host device, the camera is set to "UI mode" in order to transmit commands to the host device).

11. In regard to **claim 12**, note Gennetten discloses the use of a notifying unit which notifies no electrical connection when the determining unit determines that the digital camera is not electrically connected to the external device (paragraph 0025, when the camera is disconnected, the processor records the status of active tasks).

12. In regard to **claim 13**, note Gennetten discloses the use of a processor which performs an electric connection process between the digital camera and the external device when the determining unit determines that the digital camera is not electrically connected to the external device (paragraph 0030, when the camera is first connected to the host device, the communication is established and the mode is set).

13. In regard to **claim 14**, note Gennetten discloses the use of an instructing unit which instructs the processing unit to perform the predetermined process and instructs the transmitter to transmit the request (paragraph 0025).

14. In regard to **claim 15**, note Gennetten discloses the use of a canceling unit which cancels transmission of the request instructed by the instructing unit (paragraph 0025, when the camera is disconnected, the processor is considered to cancel and record any active tasks for later completion).

15. In regard to **claim 16**, note Gennetten discloses the use of a first unit which instructs the processing unit to perform the predetermined process for the at least one item of the first image data stored in the storage (paragraph 0025, the predetermined process is considered to be the "delete" function, and after the images are copied to the host device, the camera deletes the images from storage), and a second unit which instructs the processing unit to perform the predetermined process for the at least one

item of the first image data stored in the storage and instructs the transmitter to transmit the request (paragraph 0025, after the images are copied to the host device, the camera deletes the images from storage, and the camera is in the "UI mode", user commands can be sent to delete images from the host device).

16. In regard to **claim 17**, note Gennetten discloses that the transmitter transmits the request to the external device via a communication cable (paragraph 0035).

17. In regard to **claim 18**, note Gennetten discloses the use of the transmitter transmits the request to the external device via wireless communications (paragraph 0042, the connection is not limited to wires).

18. In regard to **claim 19**, note Gennetten discloses that the transmitter transmits the request to the external device via a communication network (paragraph 0036, an internet connection can be used).

19. In regard to **claim 21**, note Gennetten discloses that the external device can comprise a personal computer (paragraph 0027, the hosting device can be any device requiring an image data source, which is considered to include the use of personal computers).

20. In regard to **claim 22**, this is a method claim, corresponding to the apparatus in claim 1. Therefore, claim 22 has been analyzed and rejected as previously discussed with respect claim 1.

21. In regard to **claim 23**, this is a method claim, corresponding to the apparatus in claim 4. Therefore, claim 23 has been analyzed and rejected as previously discussed with respect claim 4.



***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gennetten et al. (US PGPub 2004/0201680).

23. In regard to **claim 6**, note Gennetten discloses the use of a digital camera comprising an imaging unit, a storage, a processing unit, and a transmitter which transmits a request for the predetermined process to an external device to cause the external device to perform a predetermined process, wherein the request comprises a command for specifying the predetermined process and an identification for specifying the at least one item of the first image data to which the predetermined process is performed by the processing unit, as claimed in claim 5 above. Official Notice is taken that the concepts and advantages of using file names for organization/categorization and manipulation of files within a storage device are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Gennetten device to include the use of the file name as an identifier of an image file in order to easily locate the file.

24. In regard to **claim 10**, note Gennetten discloses the use of a mode setup unit which sets one of a first process mode and a second process mode (paragraph 0030,

the camera is switched between "UI mode" and "normal camera mode"), an instructing unit which instructs the processing unit to perform the predetermined process (paragraph 0025, in this case, the "delete" function is considered to be the predetermined process), a first unit which, when the mode setup unit sets the first process mode and the instructing unit instructs performing of the predetermined process, allows the processing unit to perform the predetermined process and allows the transmitter to transmit the request (paragraph 0025 and 0030, when the camera is docked, the files are copied to the host device, and the predetermined process can be performed such that the files can be deleted from the camera as well as from the host device). Therefore, it can be seen that Gennetten fails to explicitly disclose the use of a second unit which, when the mode setup unit sets the second process mode and the instructing unit instructs performing of the predetermined process, allows the processing unit to perform the predetermined process. However, Gennetten does disclose that in the second mode ("normal camera mode"), the camera performs normal camera functions. Official Notice is taken that the concepts and advantages of digital camera having delete function are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Gennetten camera to include the use of a delete function during normal camera operation in order to allow the user to free storage space by delete unwanted images.

25. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gennetten et al. (US PGPub 2004/0201680) in view of Wasula et al. (US PGPub 2002/0054224).

26. In regard to **claim 20**, note Gennetten discloses the use of a digital camera comprising an imaging unit, a storage, a processing unit, and a transmitter which transmits a request for the predetermined process to an external device to cause the external device to perform a predetermined process, as claimed in claim 4 above. Therefore, it can be seen that Gennetten fails to explicitly disclose the use of a second storage which stores transmission destination information for specifying the external device, wherein the transmitter transmits the request to an external device specified by the transmission destination stored in the second storage. In analogous art, Wasula discloses the use of a storage which stores transmission destination information for specifying the external device, wherein a transmitter transmits the request to an external device specified by the transmission destination stored in the storage (paragraph 0031, destination information is stored in a profile in the camera's memory 28). Wasula teaches that the use of a storage which stores transmission destination information for specifying the external device along with transmission profiles in order to allow the user to customize the desired conditions to be used during transfer (paragraph 0031). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Gennetten device to include the use of a storage which stores transmission destination information for specifying the external device, wherein a transmitter transmits the request to an external device specified by the transmission destination stored in the

storage in order to allow the user to customize the desired conditions to be used during transfer, as suggested by Wasula.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 20020093575A1: note the use of a digital camera and wireless image transmission.

US007256820B2: note the use of a digital camera that transfers an image to an external device for processing.

US006188431B1: note the use of two cameras that can independently control each other.

US006628325B1: note the use of a digital camera that transfers images to an external device.

US 20010002846A1: note the use of image file management between electronic devices.

US006784924B2: note the use of a camera that stores location information for multiple destinations.

US006701058B1: note the use of a camera that can transmit an erase command to an external device.

US 20020149695A1: note the use of image file management between a camera and an external device.

US006630954B1: note the use of a camera that allows user selection of files to be deleted.

US006396537B1: note the use of a camera having different modes for image capture/transmission.

US 20030011680A1: note the use of image file management between a camera and an external device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISS S. YODER III whose telephone number is (571)272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSY  
March 10, 2008

/Tuan V Ho/  
Primary Examiner, Art Unit 2622